Approved for use through 07/31/2003. OMB 0651-0032 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## UTILITY **PATENT APPLICATION TRANSMITTAL**

Signature

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UTILITY	Attorney Docket No.	RADME-64795 Machold et al.			
PATENT APPLICATION TRANSMITTAL	First Inventor				
	Title	Method and Control Of A Patient's Body Temperature			
	Express Mail Label	EV 327058775 US			

(Only for new nonprovisional applications under 37 CF	R 1.53(b))	Express I	Mail Label	EV 327058775 US			
APPLICATION ELEMENT See MPEP chapter 600 concerning utility patent a		ontents.		Mail Stop Patent Application Commissioner for Patents P. O. Box 1450 Alexandrla VA 22313-1450			
(preferred arrangement set forth below)  - Descriptive title of the invention - Cross Reference to Related Appli - Statement Regarding Fed sponso - Reference to sequence listing, a to or a computer program listing app - Background of the Invention - Brief Surnmary of the Invention - Brief Description of the Drawings - Detailed Description - Claim(s) - Abstract of the Disclosure  4.  Drawing(s) (35 U.S.C. 113) [Total]  5. Oath or Declaration [Total] a. Newly executed (original of the Continuation divisional with signed statement attanamed in the prior application (163(d)(2) and 1.33(b))	Pages  cations red R & D able, endix  (if filed)  Sheets  Pages r copy) on (37 CF) Box 18 con VENTOR(S) Ched deletin	36 ]  2 ]  R 1.63(d))  inpleted)  g inventor(s	(if app. a. b.  c.  9.  10.  11.  12.  13.  14.  15.  16.	CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) obtide and/or Amino Acid Sequence Submission of licable, all necessary)  Computer Readable Form (CRF)  Specification Sequence Listing on:  i. CD-ROM or CD-R (2 copies); or  ii. Paper  Statements verifying identity of above copies  CCOMPANYING APPLICATION PARTS  Assignment Papers (cover sheet & document(s))  37 CFR 3.73(b) Statement (when there is an assignee)  English Translation Document (if applicable)  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations  Preliminary Amendment  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  Certified Copy of Priority Document(s) (if foreign priority is claimed)  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.			
6. Application Data Sheet. See 37 CFR 1.76  17. Other:  18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  Continuation  Divisional  Continuation-in-part (CIP) of prior application No.:  09/707,257  Prior application information:  Examiner Robert L. Nasser  Group / Art Unit: 3736  For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.							
reference. The incorporation can only be relied u			NDENCE A				
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Country	Tel	ephone	(310) 824-55	555 Fax (310) 824-9696			
Name (Print/Type) John K. Fitzgerald	7 1	$\wedge$	Reg	istration No. (Attorney/Agent) 38,881  Date August 20, 2003			

This collection of information is required by 37 CFC 15(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**New Divisional Application** 

SUBTOTAL (3)

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August 20, 3002

Complete if Known

PTO/SB/17 (5-03)
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Application Number

**TRANSMITTAI** 

tor FY 2003				Filing Date							
Effective 01/01/2003. Patent fees are subject to annual revision.			on.	First Named Inventor		entor	Machold et al.				
Applicant claims small entity status. See 37 CFR 1.27			27	Examiner Name			Prior: Robert L. Nasser				
				Group Art Unit			Prior: 3736				
TOTAL AMOUNT OF PAYMENT (\$) \$375		Attorney Docket No.			ocket i	No.	RADME-64795				
METHOD OF PAYMENT (check all that apply)		eck all that apply)		FEE CALCULATION (continued)							
Check Credit card Money Other None			ther None	3. ADDITIONAL FEES							
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The Director is	authorized to:	(check all that	apply)	1812	2,520	1812			ng a request for ex parte reexamination		
Charge fee(s) indicated below Credit any overpayments			1804	920*	1804	920*	Reque action	sting publication of SIR prior to Examiner			
Charge any additonal fee(s) during the pendency of this application			1805	1,840*	1805	1,840*		esting publication of SIR after Examiner			
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.			1251	110	2251	55	_	sion for reply within first month			
FEE CALCULATION			1252	410	2252	205	Extens	sion for reply within second month			
1. BASIC FILING FEE			1253	930	2253	465	Extens	sion for reply within third month			
Large Entity   Small Entity			1254	1,450	2254	725	Extens	sion for reply within fourth month			
Fee Fee		e Description	Fee Paid	1255	1,970	2255	985	Extens	sion for reply within fifth month		
Code (\$) 1001 750	1	lity filing fee	375.00	1401	320	2401	160	Notice	of Appeal		
1002 330	1	sign filing		1402	320	2402	160	Filing a	a brief in support of an appeal		
1003 520	2003 260 Plai	int filing fee		1403	280	2403	140	Reque	est for oral hearing		
1004 750	2004 375 Rei	issue filing		1451	1,510	1451	1,510	Petitio	n to institute a public use proceeding		
1005 160	2005 80 Pro	ovisional filing fe	ee	1452	110	2452			n to revive - unavoidable		
1	SUBTO	OTAL (1)	\$) \$375.00	1453	1,300	2453			n to revive - unintentional		
2 EXTRA	CLAIM FEES	FOR UTILIT	Y AND	1501	1,300	2501		•	issue fee (or reissue)		
2. EXTRA CLAIM FEES FOR UTILITY AND Fee from			from	1502	470	2502		•	n issue fee		
Total Claims	Extra Claim 8 -20** =	ns b	elow Fee Paid	1503	630	2503			ssue fee		
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Claims Multiple Depe	ndent		=	1807	50	1807			ssing fee under 37 CFR § 1.17(q)		
	Small Entity			1806	180	1806	180	Submi Staten	ssion of Information Disclosure nent		
Fee Fee Code (\$)	Code (\$)	Fee Descrip		8021	40	8021	40		ding each patent assignment per property number of properties)		
1202 18		aims in excess o		1809	750	2809	375		a submission after final rejection FR § 1.129(a))		
1201 84 1203 280	1	•	ns in excess of 3 nt claim, if not paid	1810	750	2810	375	For ea	ch additional invention to be examined FR § 1.129(b))		
1204 84	2204 42 ** F	Reissue indepe	ndent claims	1801	750	2801	375	•	est for Continued Examination (RCE)		
1205 18	i	over original pat Reissue claims		1802	900	1802	900		est for expedited examination esign application		
and over original patent			Other fee (specify)								

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John K. Fitzgerald

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